

APPROVED MINUTES of the Regular
Meeting of the City Council of the City of Rye held
in City Hall on March 11, 2020, at 7:30 P.M.

PRESENT:

JOSH COHN, Mayor
SARA GODDARD
CAROLINA JOHNSON
RICHARD MECCA
JULIE SOUZA
BENJAMIN STACKS
PAMELA TARLOW
Councilmembers

ABSENT:

None

The Council convened at 6:30 P.M. Councilman Mecca made a motion, seconded by Councilwoman Souza, to enter into executive session to discuss litigation and personnel matters. At 7:32 P.M., Councilman Mecca made a motion, seconded by Councilwoman Souza, to exit executive session and commence the regular meeting of the City Council. The meeting began at 7:39 P.M.

1. Pledge of Allegiance.

Mayor Cohn called the meeting to order and invited the Council to join in the Pledge of Allegiance.

2. Roll Call.

Mayor Cohn asked the City Clerk to call the roll; a quorum was present to conduct official City business.

3. Draft unapproved minutes of the Regular Meeting of the City Council held February 25, 2020.

Councilman Mecca made a motion, seconded by Councilwoman Souza and unanimously carried, to approve the minutes of the Regular Meeting of the City Council held February 25, 2020.

4. Coronavirus Update

Mayor Cohn made a statement about the coronavirus. He referenced the notice that was published on the City website and emailed to the City's listserv on the steps that the City was taking in response to the coronavirus outbreak. Mayor Cohn also referenced a County call from earlier in the day, which did not add much new information. As of the date of the meeting, there are 131 reported cases in Westchester. Of the 131, 113 are all connected to the New Rochelle index patient. Also important to note, was that of the 131 cases, only one person has required

hospitalization. Mayor Cohn reported that new testing labs are expected shortly. He said that the City has been instructed to exercise caution having large gatherings. Following the steps of the State and the County, boards as of the date of the meeting would continue having meetings as scheduled. Mayor Cohn lastly stated that City residents and staff are working well together to cope with this situation and he was gratified by that.

City Manager Usry stated that the emergency preparedness had become a full time job, as he and staff plan for the safety of residents and staff moving forward. He said he had been in regular communication with the County and nearby towns and the school district, all who have been helpful. The priority of the City is the health, safety, and welfare of everyone here. City buildings have upgraded cleaning, educational and signage has been posted, as well as other safety measures. In terms of protocols, staff is asking people to sign in when they come into City buildings. Most City services are available remotely as listed on the website. In an abundance of caution, the City has had to postpone all senior activities and other activities with large crowds. City Manager Usry asked for everybody's patience, as this is obviously a new issue for all of us. City staff is trying to make this as seamless as possible. City Manager Usry thanked senior staff who had spent a tremendous amount of time on this.

Councilwoman Souza inquired about open meetings with regard to boards, committees, and commissions. She asked that updates on cancellations or changes to meetings be posted on the City website.

City Manager Usry stated that City staff would be communicating with all committee chairs and all appropriate notice would be posted.

5. General Announcements

Councilwoman Tarlow stated that there would be a Boat Basin Commission meeting on March 17, 2020. Further, there will be a Rye Free Reading Room Board meeting on March, 24, 2020. Councilwoman Tarlow said that in the past, she has tried to talk about things that she feels matter. She said that today, she wanted to talk about the importance of being informed and asking questions. She stressed the importance of transparency and residents being informed to be able to take control of the things happening in the community.

Councilman Mecca said that the recent Planning Commission meeting heard the continuation of the Wells Fargo bank conversion proposal to a three story structure. The applicant has proposed a grass roof to encourage the six potential apartments enjoy the outdoors. Councilman Mecca commented that environmentally, a grass roof is a step in the right direction.

Councilwoman Souza announced that spring program registration opened yesterday for Rye Recreation. She was happy to report that Kiddy Camp is full for 2020 and has a waitlist. With regard to Camp 7/8, weeks 1 through 5 are all full, although there still may be opportunity there. Lower Camp registration opens March 19, 2020 at 10:00am online.

Councilman Stacks announced that Rye Golf Club applications are open for membership, and due by March 15, 2020 to get the early discount for the year.

6. Residents may be heard on matters for Council consideration that do not appear on the Agenda.

There was nothing discussed under this agenda item.

7. Update on the Boat Basin.

City Manager Usry clarified some misinformation and stated that there is no plan to sell, lease, or close the Boat Basin. Row America is certainly a member of the marina, but there has been no attempt from them to lease or buy the property. With regard to the dredge, the task force has been working for the last three months on looking at the issue. The first dredge permit is underway right now. City Manager Usry said that he was hoping to move as quickly as we can after this season. This will be a multiple step process, to figure out how much of a dredge will be required. Staff and consultants are working on the specifics. As it relates to the supervisor, Mr. Hogben resigned ten days ago. The job was posted today. The intent is to hold interviews in the next two weeks and have someone in there shortly thereafter.

Councilwoman Souza asked if there was a list of the position. City Manager Usry responded that there is a civil service list and process that is being followed.

Councilwoman Tarlow asked if the Boat Basin Commission would be involved. City Manager Usry responded that they would be.

Councilwoman Tarlow asked City Manager Usry to explain the process for the permit that is underway. City Manager Usry responded that the City has applied for the permit which takes approximately eight months. The initial permit is for an amount of silting which is 20,000 cubic yards. It will be certainly more than what this one permit can accommodate. There was discussion about the methods for moving silt and cost of the dredging and permit process.

Scott Beechert, Rye resident, addressed the Council. He thanked them for their time. He thanked Councilwoman Tarlow for her comments. He stated that he knew the City could not comment on personnel issues, but that he thought that Mr. Hogben did a fine job. He said he was glad the City was moving forward with the dredging. Mr. Beechert said that the marina was a crown jewel of Rye and it was important that we maintain the marina.

Patrick Quinn, Rye resident, asked if there was any idea of shutting down the marina on the City's part. The Council responded that there was no such idea.

Mayor Cohn said that they had been discussing dredging and biological testing. If the biological testing comes out the wrong way, the cost will be immense. Figuring out the future financially is difficult. But everybody would want it to remain open and operational.

George Klein, Milton Road, addressed the Council. He said he grew up in Rye. He stated his qualifications and stated that he had managed American Yacht Club. He said that he had known George Hogben for over 40 years. He said Mr. Hogben was a dedicated worker and in the

summer is there seven days a week. Mr. Klein continued and made a nice statement about the Mr. Hogben.

John Atchinson, 325 Maple Avenue, Mamaroneck, addressed the Council. He made a nice statement about Mr. Hogben and was upset that he left. He felt that the Boat Basin would not open on time.

George Szczerba, 16 Adelaide Street, addressed the Council. He said he was prepared to speak about Mr. Hogben but as others have put it, he did not think that there was any need for that. Mr. Szczerba stated that he would like to challenge how the City was going to open in the marina in two weeks.

Councilwoman Tarlow said that she was new on the Council and was the liaison to the Boat Basin Commission, attending their meetings. She was happy to report that this City Manager is committed to environmental testing to determine the need for the level of dredging. She was hopeful for the future.

Mr. Szczerba asked why the City needed a task force; everyone knows it needs to be dredged. There is probably 25,000 cubic yards.

Mayor Cohn said that the City wants the Boat Basin to continue. The task is not an easy one. The amount is multiple millions of dollars.

8. Update on Rye Recreation improvements.

City Manager Usry reported on the status of the Rye Recreation improvements. He said that the upper pavilion had been demolished. The Girl Scout patio has been prepped for concrete. The lower portion has been poured. The hill has been graded and is ready to be seeded. We are also looking for possible options for outdoor activities. The pathways are to be constructed to the lower and upper pavilions. The next week or so, the lower pavilion will be destroyed and removed. Right now, the City is on budget and on schedule and moving toward an opening for summer camp. City Manager Usry reported that the work was done by City staff, and the thanked them for all their hard work and efforts.

Councilwoman Souza commended the progress.

9. Consideration to set a public hearing for March 25, 2020 to amend Chapter 144 (Peddling and Soliciting) to clarify permit requirements.

Corporation Counsel Wilson explained further clarification was needed before the correct draft law was available to the public. As such, the public hearing is requested to be set for March 25, 2020 from the originally scheduled date of March 11, 2020.

Councilwoman Tarlow made a motion, seconded by Councilwoman Souza, to amend the public hearing dates to include April 15 and 29, 2020 provisionally, as meeting cancellations may be expected due to COVID-19 and the precautions that may ensue.

Councilwoman Tarlow made a motion, seconded by Councilwoman Johnson and unanimously carried, to set the public hearing for Chapter 144, “Peddling and Soliciting,” for March 25, 2020, provisionally April 15, 2020, and provisionally April 29, 2020.

10. Consideration of a request from the City of Rye’s Complete Committee (US Census), to use the Village Green for Census Awareness Day on April 1, 2020 from 12:00 pm – 4:00pm.

Mayor Cohn talked about the importance of the census and encouraged all residents to participate in this Constitutionally-mandated action.

City Clerk D’Andrea, co-chair of the Rye Complete Count Committee, explained that Census Day is observed nationally, and is an awareness day that localities use to spread the word and inform the public about the census. The event would be a small setup, with food trucks and the library’s census hub available.

Councilwoman Souza made a motion, seconded by Councilman Mecca and unanimously carried, to approve a request from the City of Rye’s Complete Committee (US Census), to use the Village Green for Census Awareness Day on April 1, 2020 from 12:00 pm – 4:00pm, or an alternative backup date being any weekday in April 2020 that is currently not being used by another event.

11. Consideration of a request from the City of Rye’s Complete Committee (US Census), to have food trucks on Haviland Lane for Census Awareness Day on April 1, 2020 from 12:00 pm – 4:00pm. The City Council will have to waive § 144-8D and G of the City Code.

Councilwoman Souza made a motion, seconded by Councilwoman Tarlow and unanimously carried, to approve a request from the City of Rye’s Complete Committee (US Census), to use the Village Green for Census Awareness Day on April 1, 2020 from 12:00 pm – 4:00pm, or an alternative backup date being any weekday in April 2020 that is currently not being used by another event.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks, Tarlow
NAYS: None
ABSENT: None

12. Old Business/New Business.

Councilman Mecca brought up a new business item. He stated that with the impending state budget, which may include the legalization of marijuana, it might be prudent for the Council start discussing zoning regulations that would create parameters for this type of sale. He asked his colleagues if it was something they may want to consider.

Councilwoman Tarlow said that for clarification, Corporation Counsel Wilson, City Manager Usry and City Planner Miller would consider looking at the zoning ramifications and different locations throughout the City and there would be a discussion based on that information.

Councilman Mecca stated that would be the ideal process, and the Council would need to do this before the state budget, to get ahead of it.

Councilwoman Goddard said that she personally thought it would be good to have a public conversation about it.

Mayor Cohn asked if it was possible to do that and have that conversation.

Corporation Counsel Wilson said that the City can explore the legal and zoning parameters to prepare for this issue.

All members of the Council agreed it would be good to have the conversation.

Corporation Counsel Wilson brought up another new business item. She asked the Council to authorize her to sign a retainer agreement with Daniel Seymour, Esq., to assist in representing the City's interest in the John Doe v. City of Rye matter at a rate of \$295/ hour.

Councilwoman Tarlow made a motion, seconded by Councilwoman Johnson, to adopt the following resolution:

RESOLVED, that Corporation Counsel is hereby authorized her to enter into a retainer agreement with Daniel Seymour, Esq., to assist in representing the City's interest in the John Doe v. City of Rye matter at a rate of \$295/ hour.

ROLL CALL

AYES: Mayor Cohn, Councilmembers Goddard, Johnson, Mecca, Souza, Stacks, Tarlow
NAYS: None
ABSENT: None

13. **Adjournment.**

There being no further business to discuss, Councilwoman Souza made a motion, seconded by Councilman Mecca and unanimously carried, to adjourn the meeting at 8:35 P.M.

Respectfully submitted,

Carolyn D'Andrea
City Clerk